



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/786,301 | 02/26/2004 | Richard E. Huber | 2414-53 | 3442 |

23117 7590 01/23/2007
NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

| |
|----------|
| EXAMINER |
|----------|

TRAN, TRANG U

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2622

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 01/23/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/786,301

Applicant(s)

HUBER, RICHARD E.

Examiner

Trang U. Tran

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed Oct. 24, 2006 have been fully considered but they are not persuasive.

In re pages 6-7, applicant argues, with respect to claims 1 and 14, that there is no teaching or suggestion whatsoever in McKay that the touch controls 20 are provided in any perimeter area as claimed and only reference to controls in a perimeter area is regarding push buttons 64, but they are in the bezel and are not operatively coupled to the front or rear face of the screen panel, e.g., for functioning as a touch control.

In response, the examiner respectfully disagrees. As discussed in the last Office Action, the bezel with buttons 64 meets the claimed limitation to at least one touch control. McKay also discloses in page 6, paragraph #0055 that

"In the exemplary embodiment of FIG.6, loud speakers 24 are disposed behind acoustically transparent grilles or louvers disposed in **the system's chassis** to either side of the display screen 62. A digital camera 22 might either be mounted in a central location along the top edge of the system bezel or might be mounted in an interior position along that portion of the system bezel which is above or below the display screen 62".

From the above passage, the system's chassis of McKay anticipates the claimed masked perimeter area and the bezel having buttons are mounted on the system's chassis. Thus, McKay discloses all the claimed limitations of claim 1.

In re page 7, applicant argues, with respect to claims 2 and 15, that there is no teaching or suggestion in McKay that the touch controls 20 of the touch screen are disposed in a masked perimeter area and buttons 64 are clearly not attached to a rear face of the front screen panel and there is no other teaching or suggestion in McKay of

Art Unit: 2622

a touch control coupled to a rear face of the front screen panel in the masked perimeter area.

In response, the examiner respectfully disagrees. As discussed above with respect to claim 1, McKay does disclose the claimed buttons 64 in the bezel are mounted on the rear face of the front screen panel in the masked perimeter area (system's chassis).

In re page 8, applicant argues, with respect to claim 4, that there is no teaching or suggestion in McKay that the touch screen control provided in a masked perimeter area.

In response, the examiner respectfully disagrees. As discussed above with respect to claim 1, McKay does disclose the claimed buttons 64 in the bezel are mounted on the rear face of the front screen panel in the masked perimeter area (system's chassis).

In re page 8, applicant argues, with respect to claim 5, that there is no teaching or suggestion in McKay that the touch screen control provided in a masked perimeter area.

In response, the examiner respectfully disagrees. As discussed above with respect to claim 1, McKay does disclose the claimed buttons 64 in the bezel are mounted on the rear face of the front screen panel in the masked perimeter area (system's chassis).

In re page 8, applicant argues, with respect to claim 13, that McKay does not in fact relate to a television assembly.

Art Unit: 2622

In response, the examiner respectfully disagrees. McKay discloses in page 4, paragraph #0039 that the single board computer 12 is coupled to a Digital Video Interface (DVI) graphics board 14 by means of a peripheral interface bus. Thus, since the display can display video signal, the system of McKay is a television assembly as claimed.

In re page 8, applicant argues, with respect to claim 14, that there is no teaching or suggestion in McKay that the touch screen control provided in a masked perimeter area.

In response, the examiner respectfully disagrees. As discussed above with respect to claim 1, McKay does disclose the claimed buttons 64 in the bezel are mounted on the rear face of the front screen panel in the masked perimeter area (system's chassis).

In re page 9, applicant argues, with respect to claims 3, 10 and 16, that there is no teaching or suggestion in McKay that the touch screen control provided in a masked perimeter area.

In response, the examiner respectfully disagrees. As discussed above with respect to claim 1, McKay does disclose the claimed buttons 64 in the bezel are mounted on the rear face of the front screen panel in the masked perimeter area (system's chassis).

In re pages 9-10, applicant argues, with respect to claims 6-7 and 17, that there is no teaching or suggestion in McKay that the touch screen control provided in a masked perimeter area.

Art Unit: 2622

In response, the examiner respectfully disagrees. As discussed above with respect to claim 1, McKay does disclose the claimed buttons 64 in the bezel are mounted on the rear face of the front screen panel in the masked perimeter area (system's chassis).

In re page 10, applicant argues, with respect to claims 9 and 19, that there is no teaching or suggestion in McKay that the touch screen control provided in a masked perimeter area.

In response, the examiner respectfully disagrees. As discussed above with respect to claim 1, McKay does disclose the claimed buttons 64 in the bezel are mounted on the rear face of the front screen panel in the masked perimeter area (system's chassis).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 4-5, 8, 11-15, 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipate by McKay (US Publication No. 2002/0078459 A1) as set forth in the last Office Action.

In considering claim 1, McKay discloses all the claimed subject matter, note 1) the claimed a television assembly comprising a housing and a secured to said housing, said screen assembly including: a front screen panel having a front face and a rear face, said front face being parallel to said rear face is met by plasma display screen 62 (Figs. 3 and 6A, page 5, [0044]-[0046] and page 6, [0054]), 2) the claimed an opaque masking layer applied to a perimeter of at least one of said front and rear faces of said front screen panel so as to define a masked perimeter area framing a viewable area of said screen assembly is met by the system bezel (Fig. 6A, page 6, [0054]), and 3) the claimed at least one touch control operatively coupled to at least one of said front and rear faces of said front screen panel in said masked perimeter area is met by the set of hard-wired inputs as button 64, may optionally be located on the system bezel and provide a user input path in addition to the system's touch screen (Fig. 6A, page 6, [0054]).

In considering claim 2, the claimed wherein said at least one touch control operatively coupled to said front screen panel comprises a touch sensor attached to the rear face of the front screen panel is met by the touch screen 20 and the set of hard-wired inputs as button 64, may optionally be located on the system bezel and provide a user input path in addition to the system's touch screen (Figs. 3 and 6A, page 5, [0044]-[0046] and page 6, [0054]).

In considering claim 4, the claimed comprising indicia identifying at least one of a location and a function of said at least one touch screen control provided on at least one of said front and rear faces of said front screen panel and visible from a front of said

Art Unit: 2622

screen assembly is met by the touch screen 20 and the set of hard-wired inputs as button 64, may optionally be located on the system bezel and provide a user input path in addition to the system's touch screen (Figs. 6A, 8-10, page 6, [0054] and page 7, [0063] to page 9, [0074]).

In considering claim 5, the claimed wherein said indicia comprises at least one of text and artwork indicating the location and function of the touch control is met by the touch screen 20 and the set of hard-wired inputs as button 64, may optionally be located on the system bezel and provide a user input path in addition to the system's touch screen (Figs. 6A, 8-10, page 6, [0054] and page 7, [0063] to page 9, [0074]).

In considering claim 8, the claimed wherein the front screen panel is formed from glass is met by the plasma display panel 18 (Fig. 2, page 4, [0041]-[0042]).

In considering claim 11, the claimed wherein the front screen panel is flat is met by the flat screen, plasma-type display 18 (Fig. 2, page 4, [0040]).

In considering claim 12, the claimed wherein said front face is substantially coextensive to said rear face is met by the plasma display panel 18 (Fig. 3, page 4, [0041]-[0042]).

In considering claim 13, the claimed wherein the television assembly is one of a plasma television, an LCD television, and a projection television is met by the flat screen, plasma-type display 18 (Fig. 2, page 4, [0040]).

Claim 14 is rejected for the same reason as discussed in claims 1 and 11 above.

Claim 15 is rejected for the same reason as discussed in claim 2 above.

Claim 18 is rejected for the same reason as discussed in claim 8 above.

Claim 20 is rejected for the same reason as discussed in claim 4 above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 10, 16 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKay (US Publication No. 2002/0078459 A1) as set forth in the last Office Action.

In considering claim 3, McKay discloses all the limitations of the instant invention as discussed in claims 1 and 2 above, except for providing the claimed wherein said touch sensor is adhesively attached. The capability of using touch sensor is adhesively attached is old and well known in the art. Therefore, the Official Notice is taken. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known using of touch sensor is adhesively attached into McKay's system in order to secure the touch sensor on the display device.

In considering claim 10, McKay discloses all the limitations of the instant invention as discussed in claim 1 above, except for providing the claimed wherein said front screen panel has a length and width greater than a length and width of said housing so that said front screen panel projects beyond said housing. The capability of using front screen panel has a length and width greater than a length and width of said

Art Unit: 2622

housing so that said front screen panel projects beyond said housing is old and well known in the art. Therefore, the Official Notice is taken. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known using of front screen panel has a length and width greater than a length and width of said housing so that said front screen panel projects beyond said housing into McKay's system in order to secure the front screen panel on the display housing.

Claim 16 is rejected for the same reason as discussed in claim 3 above.

Claim 21 is rejected for the same reason as discussed in claim 3 above.

Claim 22 is rejected for the same reason as discussed in claim 3 above.

6. Claims 6-7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKay (US Publication No. 2002/0078459 A1) in view of Ananian (US Patent No. 4,907,090) as set for the in the last Office Action.

In considering claim 6, McKay discloses all the claimed subject matter, note 1) the claimed wherein said indicia is provided on said rear face prior to applying said masking layer is met by the touch screen 20 and the set of hard-wired inputs as button 64, may optionally be located on the system bezel and provide a user input path in addition to the system's touch screen (Figs. 6A, 8-10, page 6, [0054] and page 7, [0063] to page 9, [0074]). However, McKay explicitly does not disclose the claimed wherein said masking layer is applied to said rear face of said front screen panel. Ananian teaches that referring more particularly to Figs. 3 and 4, in the preferred embodiment the peripheral portion of the planar element 12 is provided with a border 14 formed on its rear surface which is preferably formed by an opaque coating, such as black paint

Art Unit: 2622

(Figs. 3 and 4, col. 2, line 62 to col. 3, line 17). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the border formed as taught by Ananian into McKay's system in order to prevent accidental contact with the screen during use.

In considering claim 7, McKay discloses all the claimed subject matter, note 1) the claimed the touch sensor attached to said rear face after applying said masking layer is met by the touch screen 20 and the set of hard-wired inputs as button 64, may optionally be located on the system bezel and provide a user input path in addition to the system's touch screen (Figs. 3 and 6A, page 5, [0044]-[0046] and page 6, [0054]). However, McKay explicitly does not disclose the claimed wherein said masking layer is applied to said rear face of said front screen panel. Ananian teaches that referring more particularly to Figs. 3 and 4, in the preferred embodiment the peripheral portion of the planar element 12 is provided with a border 14 formed on its rear surface which is preferably formed by an opaque coating, such as black paint (Figs. 3 and 4, col. 2, line 62 to col. 3, line 17). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the border formed as taught by Ananian into McKay's system in order to prevent accidental contact with the screen during use.

Claim 17 is rejected for the same reason as discussed in claim 7 above.

7. Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKay (US Publication No. 2002/0078459 A1) in view of Scheve (US Patent No. 4,715,137) as set forth in the last Office Action.

Art Unit: 2622

In considering claim 9, McKay discloses all the limitations of the instant invention as discussed in claim 1 above, except for providing the claimed wherein said masking layer is silk screened to a perimeter of the rear face of the front screen panel to define said masked perimeter area. Scheve teaches that a clear protective coating may be silk-screened or sprayed over the back surface 16, after the image 32 has been applied, the light-transmitting member 12 may be encased in the clear shroud 30 and installed over the light source 22, which is directed toward an edge 20 of the light-transmitting member 12 (Figs. 1-4, col. 2, line 60 to col. 3, line 65). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the silk screen as taught by Scheve into McKay's system in order to improve the brightness of the displayed video signal.

Claim 19 is rejected for the same reason as discussed in claim 9 above.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2622

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 18, 2007



Trang U. Tran
Primary Examiner
Art Unit 2622